

## **Board Administration and Regulatory Coordination Unit**

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### **Division 3. Air Resources Board**

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### **Chapter 1. Air Resources Board**

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### **Subchapter 1.25. Administrative Procedures–Hearings**

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### **Article 2. Administrative Hearing Procedures for Petitions for Review of Executive Officer Decisions**

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### **Subarticle 1. General Provisions**

#### **§ 60055.1. Applicability.**

(a) The provisions of this article shall apply to all adjudicatory hearings conducted for the purpose of reviewing any of the following decisions of the executive officer to:

(1) Recall motor vehicles or motor vehicle engine families pursuant to Health and Safety Code Section 43105 and sections 2122, et seq., of title 13, California Code of Regulations;

(2) Revoke or suspend a license as a vehicle emission test laboratory pursuant to section 2048 of title 13, California Code of Regulations;

(3) Revoke or suspend a previously granted executive order certifying a motor vehicle engine family under Chapter 2, Part 5, Division 26 of the Health and Safety Code;

(4) Deny certification of a motor vehicle engine family under Chapter 2, Part 5, Division 26 of the Health and Safety Code; or

(5) Any other decision where the person directly affected by the executive officer's action requests a hearing and where an adjudicatory hearing is required by law but neither the administrative adjudication procedures contained in Government Code sections 11500, et seq., nor other hearing procedures are specified.

(b) The provisions of this article do not apply to review of decisions of the executive officer related to the programs or actions of air pollution control or air quality management districts, and final orders or decisions under this regulation and section 60075.45.

(c) The provisions of this article apply only to executive officer decisions issued on or after the effective date of this article.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); Section 43105, Health and Safety Code; Sections 60075, et seq., title 17 and 2048, title 13, California Code of Regulations; and Sections 11500, et seq., Government Code.

#### **REFERENCE**